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ORACLE AMERICA, INC.

21 UNITED STATES DISTRICT COURT  
22 NORTHERN DISTRICT OF CALIFORNIA  
23 SAN FRANCISCO DIVISION

24 ORACLE AMERICA, INC.  
25 Plaintiff,  
26 v.  
27 GOOGLE INC.  
28 Defendant.

Case No. CV 10-03561 WHA  
**DECL. OF MATTHEW L. BUSH IN  
SUPPORT OF ORACLE'S OBJECTION  
TO THE TESTIMONY OF SIMON  
PHIPPS**  
Dept.: Courtroom 8, 19th Floor  
Judge: Honorable William H. Alsup

1 I, Matthew L. Bush, declare and state as follows:

2 1. I am a member of the bar of the State of New York, admitted to practice before  
3 this Court, and an associate with the law firm of Orrick, Herrington & Sutcliffe LLP ("Orrick"),  
4 attorneys of record for plaintiff Oracle America, Inc. ("Oracle"). I am familiar with the events,  
5 pleadings and discovery in this action and, if called upon as a witness, I could and would testify  
6 competently to the matters stated herein of my own personal knowledge.

7 2. I submit this declaration in support of Oracle's Objection to the Testimony of  
8 Simon Phipps.

9 3. Attached hereto as Exhibit A is a true and correct copy of the transcript of the May  
10 7, 2016 deposition of Simon Phipps with two pages omitted. Those pages were designated  
11 "Attorneys Eyes' Only" by Google and are not necessary to resolve the objection.

12 4. Attached hereto as Exhibit B is a document produced by Oracle in discovery in  
13 this action bearing bates number OAGOOGL0020194367, previously marked as Trial Exhibit  
14 5246.

15 5. I declare under penalty of perjury under the laws of the United States that the  
16 foregoing is true and correct.

17 Executed this 9th day of May, 2016, at San Francisco, CA.

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20 Matthew L. Bush  
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